

STRATEGIC AND TECHNICAL PLANNING COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 2 SEPTEMBER 2024

Present: Cllrs Duncan Sowry-House (Chair), Dave Bolwell (Vice-Chair), Toni Coombs, Spencer Flower, Sherry Jespersen, Belinda Ridout, Pete Roper and David Tooke

Apologies: Cllrs Belinda Bawden, David Northam and David Taylor

Cabinet Leads in attendance: Cllr Jon Andrews and Cllr Shane Bartlett

Officers present (for all or part of the meeting):

Mike Garrity (Head of Planning), Elaine Tibble (Senior Democratic Services Officer), Lara Atree (Senior Lawyer - Regulatory), Kate Tunks (Service Manager for Infrastructure and Assets), Tanya Ruseva (Engineer) and Andrew Douglas (Senior Tree Officer)

Officers present remotely (for all or part of the meeting):

Jack Wiltshire (Head of Highways)

36. Minutes

The minutes of the meeting held on 29 July 2024 were confirmed and signed.

37. Declarations of Interest

Cllr Flower made the following statement.

“In the last council I was the chairman of the cabinet. On several occasions the cabinet was called upon to make decisions about Dinah’s Hollow. In particular on 6 April 2021 the cabinet approved capital funding to deliver a scheme to stabilise the banks on both sides of the hollow. Although the cabinet approved funding for a scheme I was not involved as chairman of the cabinet in approving the detail of the planning application currently before the committee. I have been advised that my previous involvement as chairman of the cabinet in the last council means that I am lawfully predisposed towards making Dinah’s Hollow safe. Being predisposed is not the same as being unlawfully predetermined in my view. Like other councillors I am here today to consider this specific planning application and I will decide the application on its own merits, considering all of the information before the committee and the comments for and against.

38. Application No: P/TRT/2024/03586 - Land At E 388252 N 120480 Dinahs Hollow Melbury Abbas SP7 0DE

The Head of Planning presented the tree works application at Dinah’s Hollow, Melbury Abbas. The application sought to remove a number of trees, undertake some coppice work and general maintenance to the woodland area. Works

proposed to implement a highway scheme at a later date were not for determination, the report related to the Tree Preservation Order (TPO) application only.

In his Introduction the Head of Planning advised that the area was subject to a TPO and Dorset Council Cabinet had approved funding for the stabilisation works at their meeting of 9 July 2024, this included taking necessary steps for the submission of a Compulsory Purchase Order (CPO). These tree works were necessary to progress the CPO.

A summary of the key elements of the proposal included details of slope stabilisation works and tree works, including the number of trees to be felled (68 reduced from 80 as stated in the report), coppiced (64) and retained (139). An aerial photograph and site location plan showed the site and context within the landscape.

Additional information relating to the key considerations of Landscape, Ecology, Heritage, Public footpath and Amenity were identified and highlighted. Surveys had been undertaken which indicated the need to apply for protected species licences from Natural England prior to undertaking the work.

The CPO would take approx. 18 months to 2 years to progress, following which further surveys would need to be undertaken due to possible changes in ecology and habitats.

Conservation officers had been consulted and were satisfied that the tree works would not affect the nearest listed building.

The Senior Tree Officer detailed the more specific details of the proposed tree works. By use of a visual presentation the members were shown a diagram of the area and a breakdown of the trees that were to be retained, untouched, coppiced and removed. He suggested that the canopy spread as shown in the diagram was larger than the trees actually were.

The Senior Tree Officer had looked at the merits of the application and advised that the suggested work should be carried out as part of good management techniques, regardless of any additional engineering work. The work would result in the re-establishment of the canopy over time.

Details of the coppice work required were explained and the Senior Tree Officer re-iterated that some trees needed to be felled as part of good woodland management whether the highways work took place or not.

Oral representation was received by Jack Wiltshire, Head of Highways, as the applicant in support of the application.

In response to member questions the committee was advised that the undertaking of the work would preserve the Hollow for a longer time. Officers were unable to confirm the timescales of the work or whether it would be phased. The permission would be for a 5-year period and it would be up to the Authority and Contractor to determine the timings of the work.

The tree work would most likely be done by using a cherry picker to avoid further de-stabilisation of the slopes.

At this stage there was no defined management plan in place as this was the first stage of the ongoing stabilisation of the Hollow.

Members understood and were supportive of the need to do the works for both highway safety and Dinah's Hollow itself.

Proposed by Cllr Ridout, seconded by Cllr Coombs.

Decision: that the tree works application was granted subject to the following conditions:

- Works may only be carried out directly in advance of, and in conjunction with the Dorset Council Dinah's Hollow Slope Stabilisation project.
- Work to be undertaken in accordance with BS 3998:2010 Tree works – recommendations, BS 5837: 2012 Trees in relation to design, demolition and construction and the Wildlife and Countryside Act 1995.
- Any works identified in addition to the works outlined in the Arboricultural Impact Assessment and Arboricultural Method Statement dated 14th August 2024 will be subject to a further application.
- The tree works shall be undertaken in accordance with the Dorset Council Impact and Arboricultural Impact Assessment and Arboricultural Method Statement dated 14.08.2024 and combined tree works plans 1 and 2 August 24.
- This consent is given only in accordance with the Town and Country Planning Act 1990 and the Town and Country Planning (Tree Preservation) (England) Regulations 2012. It does not override any other statutory or non-statutory controls which may exist; you and/or your agent are responsible for compliance with any other relevant legislation. Wildlife and habitat controls are administered by Natural England who can be contacted on 0300 060 3900. It is an offence under the Wildlife and Countryside Act 1981 to disturb roosting bats, nesting birds or other species protected by this Act. All required licences must be in place prior to work commencing.
- All work to be carried out in its entirety within five years of the date of this decision.

Informative:

National Planning Policy Framework Statement In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by: - offering a pre-application advice service, and - as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions. In this case: - The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Officer Note

Due to an administrative error, interested parties were not notified in advance of this committee meeting, and the application is therefore being reported back to the Strategic and Technical Planning Committee on 30 September 2024.

39. Urgent items

There were no urgent items.

40. Exempt Business

There was no urgent business.

Duration of meeting: 10.00 - 10.53 am

Chairman

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